

Remarks/Arguments

The Non-Final Office Action mailed April 8, 2004 has been received and carefully considered. Claims 1 - 11 are pending in the application.

Claims 1, 2 and 11 are rejected under 35 U.S.C. 102 (b) as being anticipated by Custers et al. (U.S. Patent No. 5,063,547, hereinafter "Custers"). Claims 3 - 4, 6 and 10 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Custers in view of Swenson et al. (U.S. Patent No. 6,064,380, hereinafter "Swenson"). Claims 5 and 7 - 9 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Custers. Claim 1 is objected to for informalities. These rejections are respectfully traversed.

The objections have been corrected in accordance with the Examiner's comments and Applicants now submit that objections to Claims 1 have been overcome. Claim 11 has been similarly amended.

The present invention as recited in amended independent Claim 1 is:

playing back stored information during a play mode of operation;
providing to a user, during play mode of operation, an opportunity to select a bookmark, representing a corresponding location within the stored information, from among a plurality of bookmarks responsive to user input;
changing to playing back the stored information from the location corresponding to the selected bookmark during the play mode of operation, (emphasis added)

That is, the present invention is directed to a system in which a particular selection may be started from a plurality of places in the selection (bookmarks). Further, the present invention commences playing the disc in playback mode. Once input from a user is received indicating that play is to be from a particular bookmark then play jumps ahead to play from the selected bookmark.

However, and in contrast to the present invention, Custers, at Col. 1, lines 60 to Col. 2, line 2, describes a method and apparatus for storing

for at least one specific record carrier identification, a plurality of preferred-selection programs associated with different user identifications in such a manner as to define the relationship between the user identification and the associated preferred-selection program, the selection means being adapted to detect whether for the combination of the detected record carrier identification and the entered user identification a preferred-selection program is stored in the storage means and to select said preferred program if the presence of such a program is detected. (emphasis added)

That is, preferred programs are selected. There is no indication that the programs can be started part of the way through the selection or program. Further, as indicated in Fig. 4 and described at col. 6, lines 25 - 32, a test is performed upon insertion of a disc into a record carrier to determine whether the user wants to use the preferred program selection feature of

the apparatus or wants to play the disc in the customary manner. Play mode is not commenced until the user makes a selection. In fact, nothing happens until the user makes a selection to either use the preferred-selection program or play in "the customary manner". Accordingly, Custers does not disclose the method recited in independent claim 1 and highlighted above.

Independent Claim 11 as amended recites:

a data processing unit for accessing and processing information stored on the storage medium during the play mode of operation of the apparatus;
a user control device for receiving user input;
an on-screen display device for generating on-screen displays; and
a controller, coupled to the data processing unit, the user control device, and the on-screen display device, for activating the play mode of operation, and providing to a user during the play mode of operation an opportunity to access previously stored bookmarks, characterized in that (emphasis added)

For similar reasons Custers does not expressly disclose the apparatus recited in independent claim 11 and highlighted above.

Swenson describes a computer network used for playing multimedia files, wherein one option is for saving a bookmark upon terminating play of the particular multimedia file. Once the multimedia file is selected for play the next time, the user is given the option of commencing play from the point of previous termination only. The user is not given an option to select bookmarks for a plurality of locations/positions within the multimedia file and is only given the option of selecting a single location/position to commence play and that is from the location of the previous termination of play. Further, Swenson does not describe how play is re-initiated. That is, there is no indication in Swenson whether or not the user is given the opportunity to select play from the point of previous termination during play mode of operation. Accordingly, Swenson does not overcome the deficiencies of Custers.

In light of the above remarks, it is respectfully submitted that claims 1 and 11 are not anticipated and patentable over the art of record. Claims 2 - 10 depend directly or indirectly from independent Claim 1. It is, therefore, respectfully submitted that Claims 2 - 10 are also not anticipated and patentable over the art of record for at least these reasons as well as additional features contained therein.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6440, so that a mutually convenient date and time for a telephonic interview may be scheduled.



Respectfully submitted,

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